Remarks

The courtesy afforded the applicant's representative by Examiner Lam during the telephone interview on November 17, 2009 is acknowledged with thanks. During the interview, the Examiner indicated that she had reviewed the proposed amendments to claims 100-114 (the proposed amendments to claims 100-114 were informally submitted to Examiner Lam by email on November 16, 2009) and that it appeared that the addition of the privacy profile limitations avoided the rejection of record, subject to further consideration.

During the interview, consideration of claims 115-135 was also discussed. Previously submitted claims 115-135 were not addressed in the Official Action. In view of the non-consideration of these claims in the Official Action, the Examiner kindly indicated that applicant could submit the present amendment, with the proposed changes to claims 110—114 and corresponding changes to claims 115-135, without the need to submit a Request for Continued Examination. This is acknowledged with appreciation. The present amendment includes the proposed changes to claims 110—114 and corresponding changes to claims 115-135.

The Examiner also requested that the amendment indicate where support for the amendments is to be found. Support is found at least at page 10, line 26, through page 11, line 14, page 11, line 29, through page 12, line 2, and page 12, lines 14-

17. Similar disclosures are made for subsequent disclosures of other network configurations.

Claims 100-114 were rejected as unpatentable over 3GPP TS 23.171 version 3.8.0 Release 1999 (also cited as ETSI TS 123 171 V3.8.0 (2002-06)), hereinafter 3GPP171, in view of HAVANIS 6,195,557 and NOWAK 6,968,195. These claims, as well as claims 115-135, have been amended and reconsideration and withdrawal of the rejection are respectfully requested.

The amended claims include a first privacy check, a reusability check, and a second privacy check.

The first privacy check checks whether the location information of the target mobile terminal is allowed to be given to a third party, by referring to the privacy profile of the target mobile terminal. The Official Action refers to 3GPP171, section 8.7.1.1, item 1, for the first privacy check. However, only the validity of the LCS client is checked in this section of the reference; the privacy profile of the user is not used in this validity check. Therefore, the references do not disclose the first privacy check of the amended claims.

In the reusability check, the previously obtained location information is used instead of asking the positioning system for new location information, where the previously obtained location information has been stored in the gateway. The Official Action cites section 8.7.1.2, item 9, for this feature. However, there is no mention of using the previously obtained location information stored in the gateway.

The second privacy check is performed with this previously obtained location information stored in the gateway. The Official

16

Action refers to section 8.7.7.1, item 6 (this may be 8.7.1.1, item 6). However, there is no mention of using this previously obtained location information.

Moreover, if the reusability check is as cited in the Official Action at 8.7.1.2, item 9, then the secondary privacy check is performed prior to the reusability check. This is another difference between the cited combination and the invention of the amended claims.

Accordingly, the amended claims avoid the rejection under §103.

The Commissioner is hereby authorized in this, concurrent, and future submissions, to charge any deficiency or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

_____/Thomas W. Perkins/_____
Thomas W. Perkins, Reg. No. 33,027
Customer No. 00466
209 Madison Street, Suite 500
Alexandria, VA 22314
Telephone (703) 521-2297
Telefax (703) 685-0573
TWP/lrs